

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ORDER

Before the Court is Defendant Sony Interactive Entertainment LLC’s (“SIE”) Motion to Strike and Exclude Opinions Regarding Damages from the Opening Report of Plaintiffs’ Damages Expert, Lance E. Gunderson (Dkt. No. 282) and Plaintiffs Infernal Technology, LLC and Terminal Reality, Inc.’s (“Plaintiffs”) Motion for Reconsideration of the Court’s February 26, 2021 Order (Dkt. No. 284) (the “Motions”). After consideration, the Court is of the opinion that both Motions should be and hereby are **DENIED WITHOUT PREJUDICE**.

The Court *sua sponte* **ORDERS** the parties to mediate in this case promptly and at a mutually agreeable date as soon as practical, but no later than **forty-five (45) days** from the date of this Order. The mediation shall be conducted by the Hon. David Folsom, 6002-B Summerfield Drive, Texarkana, Texas 75503, dfolsom@jw.com. To ensure that mediation is as productive as possible, the Court hereby **ORDERS** that each party shall personally attend such mediation with lead counsel, local counsel, and a representative who has full and unilateral authority to act on and compromise on all pending disputes. No party or representative shall leave the mediation session,

once it begins, without the approval of the mediator. The district's applicable local rules shall otherwise govern and apply in all respects.

So ORDERED and SIGNED this 3rd day of June, 2021.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE